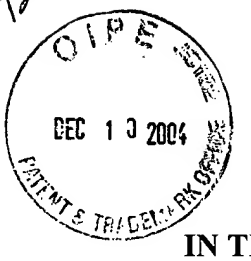
92



2175
RFW

Attorney Docket No. YOR920000686US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: _____ Date: December 8, 2004

Applicant(s): M.L. Hill et al.
Docket No.: YOR920000686US1
Serial No.: 09/841,949
Filing Date: April 25, 2001
Group: 2175
Examiner: Diane D. Mizrahi

Title: Methods and Apparatus for Extraction and Tracking of Objects from Multi-Dimensional Sequence Data

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are submitted in response to the Examiner's Statement of Reasons for Allowance included in the Notice of Allowability dated December 6, 2004 in the above-identified application.

REMARKS

Applicants respectfully assert that the above-noted Statement of Reasons for Allowance does not properly characterize the scope of the claimed invention.

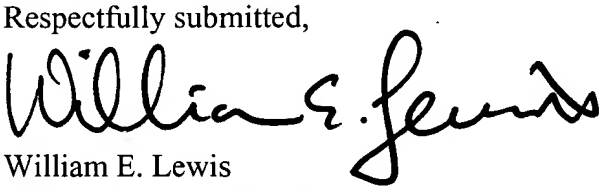
More particularly, the Examiner states:

> Applicant's particular method of segmenting a set of data elements into one or more group (*sic*) of data elements representing one or more objects in which two or more search functions is unoptimized, adaptive mutation of one or more search functions includes random mutation, learning algorithm including combining two or more search functions during the generation of the optimized search function and set of data elements includes unstructured image data in combination with the other limitations of the claims, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record.

However, Applicants respectfully point out that the present invention, for example, as recited in independent claim 1, recites a computer-based method of segmenting a set of data elements into one or more groups of data elements representing one or more objects, the method comprising the steps of: generating an optimized search function; applying the optimized search function to the data elements of the set of data elements so as to prune a search space associated with the set of data elements; and applying a match function to the pruned search space so as to segment the set of data elements into the one or more groups of data elements representing the one or more objects. Independent claims 16, 31 and 33 recite similar limitations.

Thus, Applicants consider the scope of the claimed invention to be broader than the interpretation referred to in the Notice of Allowability.

Respectfully submitted,



Date: December 8, 2004

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